

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROY LEE WILLIAMS,)	
)	
Plaintiff,)	4:05cv3187
)	
vs.)	ORDER
)	
NSP MEDICAL SERVICES Unit, et al.,)	
)	
Defendants.)	

This matter is before the court on filing no. 6, a proposed Amended Complaint which the court has construed as a Motion for Leave to Amend the complaint filed by the plaintiff, Roy Lee Williams, a prisoner. The plaintiff seeks to add additional defendants *and* additional plaintiffs. Filing no. 6 must be denied because the court no longer allows multiple plaintiffs to share, or pro-rate, the filing fee if any plaintiff is a prisoner subject to the Prison Litigation Reform Act ("PLRA"). Therefore, filing no. 6 is denied, and the operative complaint in this case continues to be filing no. 1.

However, in the Order on Initial Review, I stated:

Amendment to the Complaint

If suing the physicians, in their official capacity *only*, is not the plaintiff's intent, he may file a short amendment to the complaint within 30 days of the date of this Order, specifying that the physicians named as defendants are sued in their individual capacity or in both their individual and official capacities. If the plaintiff does amend his complaint to sue any defendants in their individual capacity or in both capacities, he shall request additional summons forms and Form 285s. That is because government employees are served in different locations in their individual and official capacities.

Filing no. 6 is denied, but the plaintiff still has time to file the amendment regarding the defendants, as discussed in the Order on Initial Review.

SO ORDERED.

DATED this 14th day of November, 2005.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge